

### **REMARKS**

Applicants acknowledge the allowance of claims 1-16, 21-34, 38-53 and 56-62.

#### **Amendment to Specification**

The paragraph beginning on line 16 of page 6 has been amended to insert the entry "Defatted soy 2 g/l, " at about line 30. The entry is recited in the parent application and was inadvertently left out of this C-I-P application. The parent application is referred to on page 1 and therefore, is incorporated by reference through the paragraph on lines 24-26 of page 40. Therefore, the insertion does not add new matter to the specification.

#### **Claim Objection**

By the above amendment to claim 50, the symbol for percentage has been added after the numeral "30", thus overcoming the objection.

#### **Priority and Co-pending Application**

The ownership of the subject matter of this application is in dispute in a proceeding in Italy. The present application is presently unassigned. Upon information and belief, a) the priority document is assigned to Inalco, s.p.a. and b) Inalco filed U.S. application number 10/240,606 on September 27, 2002, naming Pasqua Oreste and Giorgio Zoppetti as inventors. The Examiner is encouraged to include this application in the search.

#### **Claim Rejections Under 35 U.S.C §112**

Claim 17 (iv) has been amended by adding the expression "to perform a partial O-desulfation", thus clarifying that the product obtained at the end of step (iv) actually is a partially O-desulfated product. A similar amendment has been made to claim 35, which is a product by process claim. The phrase, "to a depolymerization" was inadvertently left off the last line of claim 17 in the last amendment and has been reinstated with this amendment.

These amendments have been made in order to overcome the 35 U.S.C §112 objections and are not intended to change the scope of the original claims.

Claims 18-20 which are dependent on claim 17 are now clear.

**Claim Rejections Under 35 U.S.C §102**

Claims 35-37, 54 and 55 stand rejected under 35 U.S.C §102(e) as anticipated by Zoppetti, et al., U.S. Patent No. 6,162,797 ('797).

Applicants respectfully traverse this rejection and request reconsideration. As illustrated in the present specification (DESCRIPTION OF THE PRIOR ART, page 3, lines 3-7) Zoppetti, et al., U.S. Patent No. 6,162,797 corresponds to WO 97/43317, published more than one year before the effective date of the instant application. By comparing the process recited in claim 35 of the instant application with the process disclosed and claimed in '797, it can be noted that the latter lacks two fundamental steps ("partial O-desulfation" and "selective 6-O-sulfation") which are present in the process recited in claim 35. This difference in the two processes leads to two completely different product families, having a completely different anticoagulant profile.

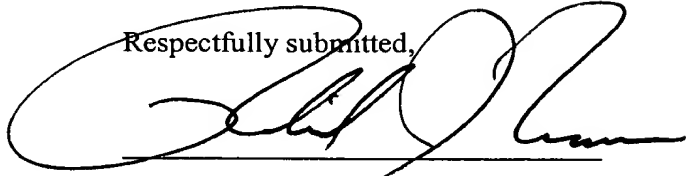
In fact, the compounds disclosed in '797 show a very high anticoagulant activity (see column 1, lines 23-25, combined with column 2, lines 1-4), while the compounds of claim 35 obtained by a process as defined in claim 17 of the instant application show a global anticoagulant activity lower than that of heparin, thus being useful for the control of the coagulation and as antithrombotic agents, with a low bleeding potential (see SUMMARY OF THE INVENTION, from page 4, line 20 to page 5, line 10).

Thus, the compounds of 35-37 are structurally different from those disclosed in '797 and have a completely different pharmacological effect in comparison with the compounds of '797 and therefore, are not anticipated. The compositions of claims 54 and 55 which contain compounds of claim 35 are also novel.

Based on the above remarks, Applicants submit all pending claims (claims 1-62) are in condition for allowance and patentable over the cited references. Therefore, withdrawal of the rejections, allowance of these claims and emission of a Notice of Allowability in the instant application are earnestly solicited.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard J. Traverso', written over a horizontal line.

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